

W.M.P.No.16777 of 2020
IN
W.P.No.8642 of 2020

P.N.PRAKASH, J.
AND
V.SIVAGNANAM, J.

(Order of the Court was made by P.N.PRAKASH, J.)

In the Writ Petition viz. W.P.No.8642 of 2020, the prayer of the petitioner was to grant leave to his son A.G.Perarivalan for 90 days. Admittedly, A.G.Perarivalan was granted leave for 30 days *vide* order dated 24.09.2020 passed by this Court and thus, a quietus was given to the Writ Petition. It is represented that after the expiry of the leave period, A.G.Perarivalan has surrendered himself to judicial custody.

2. Seemingly, during the course of arguments in the Writ Petition on 29.07.2020, the learned Public Prosecutor had read out some communication concerning the case of A.G.Perarivalan.

3. Hence, the petitioner had filed the instant W.M.P. on 22.09.2020 for a direction to the learned Public Prosecutor to produce the said communication.

4. From a perusal of the order dated 24.09.2020 passed in the Writ Petition, by which the relief of 30 days leave was granted as against the prayer of 90 days leave, it is seen that this W.M.P. was ordered to be kept pending for filing counter affidavit.

P.N.PRAKASH, J.
AND
V.SIVAGNANAM, J.

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In our considered opinion, the scope of this W.M.P. is beyond the scope of the prayer in the Writ Petition. When a quietus has been given to the Writ Petition *vide* order dated 24.09.2020 by granting 30 days leave, it will not be appropriate for this Court to grant the relief sought in the present W.M.P. Be it noted that Miscellaneous Petitions are usually filed only to have immediate interim succour, since at the time of filing the main petition, the petitioner may not know the date on which he will get the main relief. Hence, this Miscellaneous Petition is closed, with liberty to the petitioner to work out his remedies in the manner known to law.

[P.N.P.,J.] [V.S.G.,J.]
22.02.2021

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